

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE**

SHAUN CHAPMAN, <i>individually, and on</i>)	
<i>behalf of himself and others similarly</i>)	
<i>situated,</i>)	
)	Case No. 2:21-cv-137
<i>Plaintiff,</i>)	
)	Judge Atchley
v.)	
)	Magistrate Judge Wyrick
UNITED COAL COMPANY, LLC, <i>et al.</i> ,)	
)	
<i>Defendants.</i>)	

ORDER

On April 1, 2022, United States Magistrate Judge Cynthia Wyrick filed a Report and Recommendation [Doc. 24] pursuant to 28 U.S.C. § 636 and the standing orders of this Court. Magistrate Judge Wyrick recommends that Plaintiff's Motion for Conditional Certification [Doc. 19] be granted; and the agreed Notice of Collective Action Lawsuit form [Doc. 23-1 at 9-10] be approved for issuance. [Doc. 24].

On April 27, 2022, the parties filed a Joint Notice [Doc. 25], notifying the Court that neither the Plaintiffs nor the Defendants intended or intend to object to the Report and Recommendation.¹ Rather, the parties are satisfied with the Report and Recommendation in its current form. [*Id.*].

¹ The customary footnote advising the parties of the relevant objection period was inadvertently omitted from the Report and Recommendation. [Doc. 24]. However, Magistrate Judge Wyrick subsequently advised the parties that they had fourteen (14) days in which to object to the Report and Recommendation and that failure to file objections within the time specified would waive any right to appeal. *see* Fed. R. Civ. P. 72(b)(2); *see also* *Thomas v. Arn*, 474 U.S. 140, 148-51 (1985) ("It does not appear that Congress intended to require district court review of a magistrate judge's factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings."). The parties advised Magistrate Judge Wyrick that they did not wish to object to the Report and Recommendation. Thus, in light of the parties' representations and the corresponding Joint Notice [Doc. 25], the Court

The Court has reviewed the Report and Recommendation [Doc. 24], as well as the record in this case, and agrees with Magistrate Judge Wyrick's well-reasoned conclusions. Accordingly, the Court **ACCEPTS** and **ADOPTS** the findings of fact and conclusions of law set forth in the Report and Recommendation [Doc. 24]. It is hereby **ORDERED** that Plaintiffs' Motion for Conditional Certification [Doc. 19] is **GRANTED**; and the agreed Notice of Collective Action Lawsuit [Doc. 23-1 at 9-10] is **APPROVED** for issuance.

SO ORDERED.

/s/ Charles E. Atchley Jr.
CHARLES E. ATCHLEY JR.
UNITED STATES DISTRICT JUDGE

is satisfied that the parties were sufficiently made aware of the objection period and made an informed decision not to file any objections.